



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

GRANTED IN PART: December 29, 2015

CBCA 4237

IRON PINE LOGGING, LLC,

Appellant,

v.

DEPARTMENT OF AGRICULTURE,

Respondent.

John J. Ferguson of Ferguson Law Office, PLLC, Missoula, MT, counsel for Appellant.

Jennifer T. Newbold, Office of the General Counsel, Department of Agriculture, Missoula, MT, counsel for Respondent.

Before Board Judges **DANIELS** (Chairman), **SOMERS**, and **DRUMMOND**.

DANIELS, Board Judge.

Iron Pine Logging, LLC claimed entitlement to \$164,465.01 (later revised to \$124,200) under the Peterson RHR Salvage Timber Sale Contract with the Department of Agriculture's Forest Service. The contractor maintained that it had been damaged in this amount due to a suspension of work ordered by the Forest Service during October 2013. The contracting officer denied the claim, and the contractor appealed his decision to the Board.

The parties have now filed a joint motion for final judgment on stipulated settlement. In this motion, they ask the Board to award to Iron Pine Logging, LLC the sum of \$50,000, inclusive of interest, to be paid from the permanent indefinite judgment fund, 31 U.S.C.

§ 1304 (2012). The parties state that they will not seek reconsideration or relief from a decision which grants this sum, and that they will not appeal such a decision.

Decision

The motion is granted. The appeal is **GRANTED IN PART**. The Forest Service shall pay to Iron Pine Logging, LLC the sum of \$50,000, inclusive of interest. Payment shall be made from the permanent indefinite judgment fund, 31 U.S.C. § 1304. Rule 25(b) (48 CFR 6101.25(b) (2014)).

STEPHEN M. DANIELS
Board Judge

We concur:

JERI KAYLENE SOMERS
Board Judge

JEROME M. DRUMMOND
Board Judge